

04/14/2003

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GREENBERG/TRAURIG → 99921#692692#17037465305

NO. 601

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#10C
4/16/03

Attorney Docket No. 44342.013600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hironori TOMI, et al.

SERIAL NO.: 10/031,650

Group Art Unit: 1651

FILED: November 9, 2001

Examiner: Patricia A. Patten

FOR: COMPOSITIONS FOR RECOVERING HYPOFERTILITY

SUPPLEMENTAL AMENDMENT AND RESPONSE TO OFFICIAL ACTION

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Sir:

In response to the United States Patent and Trademark Office Official Action mailed on September 10, 2002, applicant respectfully requests entry of the following supplemental amendment and comments into the file of the above identified application prior to the examination thereof.

REMARKS

The present amendment corrects an inadvertent typographical error in the claims present in the amendment submitted December 10, 2002.

In the Claims

Please amend claim 41 as follows:

- C1
41. (Amended) The food supplement of claim 20, wherein the reproductive function is sperm count in a male subject.

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In re Application of: Hironori TOMI, et al.

SERIAL NO.: 10/031,650

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FILED: November 9, 2001

Examiner: Patricia A. Patten

FOR: COMPOSITIONS FOR RECOVERING HYPOFERTILITY

AMENDMENT AND RESPONSE TO OFFICIAL ACTION UNDER 37 CFR 1.116

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the United States Patent and Trademark Office Official Action mailed on September 10, 2002, please reconsider the above-identified patent application in light of the following remarks.

In the Specification

Please add the following:

B1
This application met the requirements of 35 U.S.C. Section 371 on November 9, 2001, and claims priority to PCT International Application PCT/JP00/02940 filed May 9, 2000, which in turn claims the benefit of Japanese application 11/12835, filed May 10, 1999.

In the Claims

Please amend claims 16 and 20 as follows:

B2
16. (Amended) A composition for restoring compromised reproductive function comprising an aqueous and/or alcohol extract of Withania somnifera Dunal, wherein the extract contains not less than 1 wt % of alkaloids and not less than 1 wt % withanolides. 162900